

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARGARET McCARTY,	:	Case No. 3:10-cv-75
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	
	:	
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

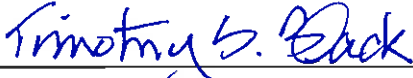
**ORDER APPROVING AGREED PETITION TO AWARD
ATTORNEY'S FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT (Doc. 19)**

Plaintiff and Defendant Commissioner jointly move this Court to award Plaintiff \$4,250.00 in fees and expenses under the Equal Access to Justice Act ("EAJA"). Under *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010), any fee belongs to Plaintiff, rather than her attorney, and can be used to satisfy a pre-existing debt Plaintiff owes to the United States. However, if counsel for both parties can verify that Plaintiff does not owe any such debt, the Commissioner agrees to make the fee award payable to Plaintiff's attorney pursuant to an assignment agreement from Plaintiff.

Accordingly, pursuant to the agreed petition, the Court orders that Plaintiff is **AWARDED** fees and expenses under the EAJA in the amount of **\$4,250.00**.

IT IS SO ORDERED.

Date: 7/12/11



Timothy S. Black
United States District Judge